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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/021,468	10/29/2001	Patrick A. Aliffi	E0019/258247	2136

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EXAMINER

HEWITT II, CALVIN L

ART UNIT	PAPER NUMBER
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3621

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/04/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/021,468

Applicant(s)

ALIFFI ET AL.

Examiner

Calvin L. Hewitt II

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31, 103 and 104 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31, 103 and 104 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 2/14/05, 9/2/05, 11/6/06
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Status of Claims

1. Claims 1-31, 103 and 104 have been examined.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 5 and 21 recite "reciprocity". Applicant has not defined *reciprocity*. The claim as it is written implies that the term has value ("a reciprocity due"), however, Applicant's Specification (page 4, lines 2-15; page/line 12/1-14/10; page 20, lines 3-15) does not identify *reciprocity* as a number, monetary value, percentage or string, therefore it is not clear to one of ordinary skill what Applicant intends by the "reciprocity due".

The term "consistency" in claims 6 and 29 is a relative term which renders the claim indefinite. The term "consistency" is not defined by the claims, the specification does not provide a standard for ascertaining the requisite degree,

and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

Claim 8 recites "an address standardization process" and "a name standardization process". Claim 1, from which claim 8 depends, is directed to a method for "providing information exchanges between at least two members". Therefore, it is unclear to one of ordinary skill how the processes of claim 8 relate to the "receiving", "storing", "associating", "creating" and "determining" steps of claim 1 (*In re Zletz*, 13 USPQ2d 1320 (Fed. Cir. 1989)).

Claim 15 recites the limitation "the history file" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-11, 16-21, 23, 24, and 26-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ng, U.S. Patent No. 6,405,175 in view of U.S. Patent No. 7,092,821 over Mizrahi et al., U.S. Patent No. 7,092,821.

As per claims 1, 4-7, 11,16-21, 23, 24, 26, 27, and 30, Ng teaches a method for providing information exchanges comprising:

- receiving an input file from a user over a communication link wherein the file comprises a plurality of data elements (figures 1 and 3)
- storing content related to the input data file in a database (figure 2)
- associating the data file with a business entity identifier (figure 5, item 52)
- creating a user profile for the user contributing the data file said file comprising the generating statistics file of statistics regarding the number of data elements contributed by the user (figures 2 and 5)
- determining a score for the statistics file by comparing the statistics to a threshold (figure 5; column 9, lines 22-28; column/line 14/65-15/8)
- determining a reward based on the statistical file (column 9, lines 23-28)
- standardizing and editing the input file (figure 3; column/line 10/65-11/59; column 12, lines 23-36; column/line 12/56-13/20)
- checking a number of occurrences of an exception condition (e.g. a certain product among the class of all products on the web)

(column 2, lines 12-18) against a tolerance limit (e.g. products that cost a certain price) (column 2, lines 19-21)

- generating a report based on data stored in the database (column/line 5/65-6/6)
- producing a record file and keeping track of changes and updates to the database (figures 5 and 8A-B; column/line 10/65-11/60)
- producing a member report (figure 5; column 5, lines 55-65)
- periodically purging information from the database (column/line 12/56-13/21)
- generating a statistics file (based on input content) on a periodic basis (column 12, lines 42-50)

Ng does not explicitly recite determining access to the database based on the score. Mizrahi et al. teach limiting a user's access to a database (column 52, lines 5-63) based on a score (column 52, lines 48-54) and comparing the score to a threshold (column 52, lines 5-63). Mizrahi et al. also teach deleting (i.e. censoring) a contributed input file (column 52, lines 52-55). Therefore, it would have been obvious to one of ordinary skill to combine the teachings of Ng and Mizrahi et al. in order to limit the effects of or prevent fraudulent product reviews ('175, column 8, line 50-

55, column 14, lines 24-32, column 16, lines 11-20; '821 column 52, lines 5-14).

As per claims 2, 29 and 31, the type of business identifier does not further limit claim 1 because the identifier is not related to the steps of "receiving", "storing", "associating", "creating" and "determining" steps. Similarly, attributes of a contributing member (e.g. claim 3) or a data file (e.g. claim 16) do not further limit the method steps of claim 1.

As per claims 6 and 28, Ng discloses awarding prizes to users (column 9, lines 23-28). Verifying user account information is old and well known. Therefore, it would have been obvious to one of ordinary skill to verify the crediting of points (figure 5; column/line 7/61-9/30) in order to ensure that the points are applied correctly and a user receives the appropriate award. For example, in response to a user inquiry.

As per claims 8-10, Ng discloses creating a user account and a user receiving prizes such as cash or other discounts (column 5, lines 55-57; column 9, lines 25-29). Mailing a prize to a user's home address is old and well known, therefore it would have been obvious to one of ordinary skill to store a user phone number and mailing address in a user account (column 5, lines 55-57) in order to distinguish one user from another and to mail prizes such as checks and coupons to a user as an award.

As per claim 25, making a change to a database as a result of a legal action is old and well known.

6. Claims 12-15 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ng, U.S. Patent No. 6,405,175 and U.S. Patent No. 7,092,821 and Mizrahi et al., U.S. Patent No. 7,092,821, as applied to claim 1 above, and in further view of Dedrick, U.S. Patent No. U.S. Patent No. 5,710,884.

As per claims 12-15 and 22, Ng and Mizrahi et al. teach online communities for sharing information between users ('821, figure 1, column/line 18/56-19/15; '175, abstract; figure 1). Ng also discloses user programmed electronic shopping agents (column 2, lines 12-18; column 5, lines 43-54). However, neither Ng or Mizrahi et al. explicitly recite comparing an input data file to a tolerance limit. Dedrick teaches a user an electronic shopping agent that checks a number of occurrences against a tolerance limit that depends on a previously input user data file such as user business rule (column 7, lines 28-38; column/line 8/53-9/2).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Matsumoto et al. teach restricting user access to a database based on use score
- Schultz et al. disclose corrections by customer service in response to a user inquiry
- Bergeron discloses mailing a prize to a user

8. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Calvin Loyd Hewitt II whose telephone number is (571) 272-6709. The Examiner can normally be reached on Monday-Friday from 8:30 AM-5:00 PM.

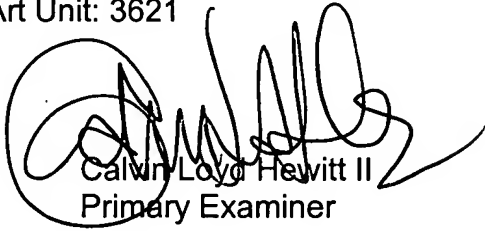
If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Andrew Fischer, can be reached at (571) 272-6779.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 10/021,468

Page 9

Art Unit: 3621



Calvin Lloyd Hewitt II
Primary Examiner

March 23, 2007